

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.2867 OF 1996

Central Bank of India ...Plaintiffs

vs.

Raj Mathivanan ...Defendant

Ms S.M.Rao i/b M.S.Bodhanwala & Co. for the Plaintiffs

CORAM: A.S.OKA, J.
DATE : OCTOBER 29, 2007

P.C.:

1. The order dated 12th October 2007 records that the Affidavit of service of writ of summons was not on record. By the said order the suit was adjourned till today. The said order specifically records that if affidavit of service of writ of summons is not filed, the suit will be liable to be dismissed for non prosecution. Today, the learned counsel for the plaintiffs seeks time of two weeks. No steps have been taken by the plaintiffs till today. In view of earlier order dated 12th October 2007, in the suit of the year 1996, no further time can be granted for effecting service of writ of summons. Hence, the suit is dismissed for non prosecution.

JUDGE